

FILED
GREAT FALLS

2012 MAY 29 PM 2 36

PATRICK E. DUFFY, CLERK
BY _____
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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

GREAT FALLS DIVISION

ROBERT GLEN PLEBST,

Plaintiff,

vs.

DR. TODD GIANARELLI; P.A.
CHRISTISFOR ROST; WARDEN
FRINK; LIZ RANTZ, DOC Medical
Director; and MS. SHNEE, Shelby
Medical Director,

Defendants.

Cause No. CV 12-00019-GF-SEH

ORDER

On May 25, 2012, Plaintiff Robert Plebst filed a "Motion to Withdraw Medical Claim" which has been construed as a Notice of Voluntary Dismissal pursuant to Rule 41(a)(1)(A).¹ This notice was accepted by the Clerk of Court and the matter has been closed. However, in the motion, Plaintiff asked that he not be charged the filing fee.

¹Document 7.

In the Complaint form, Plaintiff was advised that if his motion to proceed in forma pauperis were to be granted he would be required to pay the full filing fee in installments.² 28 U.S.C. § 1915 requires that a prisoner who brings a civil action in forma pauperis, pay the full amount of the filing fee.

As Plaintiff was granted leave to proceed in forma pauperis, he must be charged the filing fee.

Accordingly, **IT IS HEREBY ORDERED:**

Plaintiff's Request to not be charged the filing fee is denied.

DATED this 29th day of May, 2012.



Sam E. Haddon
SAM E. HADDON
United States District Judge

²Document 2, p. 2, ¶ 4.